



Patent
Customer No.: 006980
Docket No. DINK1

AM
7/10
4/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
DINKEL, Jeffrey) Group Art Unit: 3637
Serial No.: 09/829,256) Examiner: Phi Dieu Tran A
Filed: 9 April 2001)
For: **ASYMMETRICAL CONCRETE**)
BACKERBOARD AND METHOD FOR)
MAKING SAME)

RESPONSE AND AMENDMENT

BOX AMENDMENT W/EOT FEE
Honorable Commissioner for Patents
Washington, D.C. 20231

Atlanta, GA 30308-2216

31 March 2003

RECEIVED
APR 17 2003
GROUP 3600

Sir:

The *Office Action*, Paper No. 5, from Examiner Phi Dieu Tran A of Art Unit 3637, dated 8 October 2002, has been received and carefully reviewed. In response thereto, Applicant clarifies the patentable distinctions between the cited prior art and the present invention, and respectfully submits that the cited references neither teach nor suggest the present invention as contemplated in the Claims pending upon entrance of this *Response and Amendment*.

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O I P E
APR 3 1 2003
U.S. PATENT AND TRADEMARK OFFICE
~~TELEGRAM~~ FEE TRANSMITTAL COPY
for FY 2003

Effective 01/01/03, patent fees are subject to annual revision

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$465.00)

Complete if Known

Application Number	09/829,256
Filing Date	9 April 2001
First Named Inventor	DINKEL, Jeffrey
Examiner Name	Phi Dieu Tran A
Art Unit	3637
Attorney Docket No.	DINK1

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

 Deposit Account:Deposit
Account
Number

20-1507

Deposit
Account
Name

TROUTMAN SANDERS LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee	Small Entity Fee	Fee Description	Fee Paid
Code	Code	Fee	Fee
1001	2001	375 Utility filing fee	
1002	2002	165 Design filing fee	
1003	2003	260 Plant filing fee	
1004	2004	375 Reissue filing fee	
1005	2005	80 Provisional filing fee	
SUBTOTAL (1)		(\$)	0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims	<input type="text"/> - 20** = <input type="text"/> X <input type="text"/> = <input type="text"/>	
Independent Claims	<input type="text"/> - 3** = <input type="text"/> X <input type="text"/> = <input type="text"/>	
Multiple Dependent		

Large Entity	Small Entity	Fee Description
Code	Code	Fee
1202	2202	9 Claims in excess of 20
1201	2201	42 Independent claims in excess of 3
1203	2203	140 Multiple dependent claim, if not paid
1204	2204	42 ** Reissue independent claims over original patent
1205	2205	9 ** Reissue claims in excess of 20 and over original patent

04/11/2003 LWONDIM1 00000053 201507 177777

01 FC 2253 465.00 CH SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	2051	130 65 Surcharge - late filing fee or oath	
1052	2052	50 25 Surcharge - late provisional filing fee or cover sheet	
1053	1053	130 130 Non-English specification	
1812	1812	2,520 2,520 For filing a request for ex parte reexamination	
1804	1804	920* 920* Requesting publication of SIR after Examiner action	
1805	1805	1,840* 1,840* Requesting publication of SIR after Examiner action	
1251	2251	110 55 Extension for reply within first month	
1252	2252	410 205 Extension for reply within second month	
1253	2253	930 465 Extension for reply within third month	465
1254	2254	1,450 725 Extension for reply within fourth month	
1255	2255	1,970 985 Extension for reply within fifth month	
1401	2401	320 160 Notice of Appeal	
1402	2402	320 160 Filing a brief in support of an appeal	
1403	2403	280 140 Request for oral hearing	
1451	1451	1,510 1,510 Petition to institute a public use proceeding	
1452	2452	110 55 Petition to revive - unavoidable	
1453	2453	1,300 650 Petition to revive - unintentional	
1501	2501	1,300 650 Utility issue fee (or registration fee)	
1502	2502	470 235 Design issue fee	
1503	2503	630 315 Plant issue fee	
1460	1460	130 130 Petitions to the Commissioner	
1807	1807	50 50 Processing fee under 37 CFR 1.17(q)	
1806	1806	180 180 Submission of Information Disclosure Stmt	
8021	8021	40 40 Recording each patent assignment per property (times number of properties)	
1809	2809	750 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	750 375 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	750 370 Request for Continued Examination (RCE)	
1802	1802	900 900 Request for expedited examination of a design application	
Other fee (specify)			

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 465.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Ryan A. Schneider	Registration. No. (Attorney/Agent)	45,083	Telephone	404.885.2773
Signature				Date	31 March 2003

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3637
JFTRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 13

Application Number	09/829,256
Filing Date	9 April 2001
First Named Inventor	DINKEL, Jeffrey
Group Art Unit	3637
Examiner Name	Phi Dieu Tran A
Attorney Docket Number	DINK1

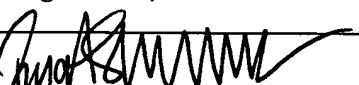
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks:

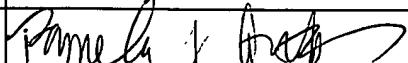
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APR 17 2003
GROUP 3637

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ryan A. Schneider Reg. No. 45,083
Signature	
Date	31 March 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (Label No. EL812797045US) in an envelope addressed to: Commissioner for Patents, Box Fee Amendment, Washington, D.C. 20231 on this date: 31 March 2003

Typed or printed name	Pamela J. Guthardt		
Signature		Date	31 March 2003

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